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SUPPORT BY THE UNITED NATIONS SYSTEM OF THE EFFORTS OF GOVERNMENTS TO PROMOTE AND CONSOLIDATE NEW OR RESTORED DEMOCRACIES

REPORT OF THE INTERNATIONAL LAW COMMISSION ON THE WORK OF ITS FORTY-NINTH SESSION

Letter dated 23 July 1997 from the Permanent Representative of Turkmenistan to the United Nations addressed to the Secretary-General

We have the honour to transmit to you the text of a statement issued on 5 July by the Ministry of Foreign Affairs of Turkmenistan concerning the signing of a Russian-Azerbaijani agreement on joint exploitation of the Caspian Sea (see annex).

I should be grateful if you would have the text of this letter and its annex circulated as a document of the General Assembly under items 38 and 149 of the provisional agenda.

(Signed) Aksoltan ATAEVA
Permanent Representative of
Turkmenistan to the
United Nations

* A/52/150.

ANNEX

Statement issued on 5 July by the Ministry of Foreign Affairs of Turkmenistan

As we have learned, a Russian-Azerbaijani agreement on the joint exploitation the Caspian Sea, with the participation of the State Oil Company of the Azerbaijani Republic and the Russian companies Lukoil and Rossneft, was signed in Moscow on 4 July 1997. Turkmenistan would welcome such cooperation if it were not for the fact that the area of joint exploitation includes the Serdar (formerly, Promezhutochnoe) deposit, which belongs to Turkmenistan and which is referred to in the agreement as Kyapaz.

As a matter of principle, Turkmenistan has always and consistently been in favour of the adoption of an international legal regime for the Caspian basin, in the light of the new political realities and in the interest of the civilized development of its resources in the interests of all littoral States. In this regard, Turkmenistan has always responded positively to appeals (including appeals from Moscow) to refrain from practical activities on the Caspian until its new legal status is determined. The Russian Federation and other Caspian Sea States are well aware that Turkmenistan takes exception to the gross disregard for its legitimate rights to the Kaverochkin and 26 Baku Commissars deposits, which the Azerbaijani side has renamed Chirak and Azeri; part of the first deposit and all of the second deposit belong to Turkmenistan.

Turkmenistan has repeatedly proposed that the Azerbaijani side engage in constructive dialogue and refrain from practical activities until an agreement is reached. In this regard, at least, the decision of the Russian Federation and Azerbaijan concerning a deposit that clearly belongs to Azerbaijan is disturbing and can be interpreted in only one way.

In the light of the foregoing, the Ministry of Foreign Affairs of Turkmenistan has been authorized to lodge a strong protest in connection with this fait accompli and demand categorically that the aforementioned agreement be abrogated in order to avoid consequences for which Turkmenistan shall not be responsible.